

Table showing effects of sequential steps to address biological impairment on components of temperature WPDES limits

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Scenario: Waterbody is listed as impaired because of a decline in biological quality from Excellent to General. However, the waterbody attains the statewide temperature criterion. This sequence is for waterbodies for which a stressor ID analysis determines that P is the cause of the biological decline.

	Department actions →		
	Step 1. Listed as impaired for degraded biology, but pollutant is “unknown”. Not exceeding temperature criterion, & not listed as impaired for temp.	Step 2. Stressor ID shows that increased temperature is the cause, but SSC has not yet been developed. Not exceeding statewide criterion, but is listed as impaired for temperature.	Step 3. A lower SSC is approved for temperature. Waterbody now exceeds its new criterion and is listed as impaired for temperature.
Effect on Temperature Permit Limits	No change to permits. Limits based on procedures in NR 106 sub V.	Limits may need to be reduced in accordance with “More stringent limitations” to protect aquatic life under NR 106.55(12). Previously applied mixing zones may be reevaluated and potentially reduced to ensure compliance with the mixing zone requirements in NR 102.05(3).	Permit limits calculated to meet new SSC. Facility may pursue compliance options.

New permits are designed to meet limits in NR 106.60; this is not affected by any of the above steps.

Note: Perhaps as part of the stressor ID study we could do upstream & downstream sampling from the facility, and if the impact is evident upstream (& is not worse downstream) then we could determine that the facility isn’t the cause?